

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

STEVEN D. BELL,	)	
	)	
Petitioner,	)	No. C 08-3269 TEH (PR)
	)	
vs.	)	ORDER OF TRANSFER
	)	
J. D. HARTLEY, Warden,	)	
	)	
Respondent.	)	

---

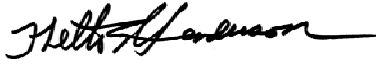
On July 7, 2008, Petitioner, a state prisoner incarcerated at Avenal State in Avenal, California, filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2254 challenging the California Board of Prison Terms' ("BPT") decision to deny him parole. Petitioner has paid the filing fee. Avenal State Prison is located within Fresno County, which lies within the Eastern District of California. See id. § 84(b).

Venue is proper in a habeas action in either the district of conviction or the district of confinement, id. § 2241(d). However, the district of confinement is the preferable forum to review the execution of a sentence, including parole. See Habeas L.R. 2254-3(a); Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989); cf. Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968) (district of conviction preferable forum to review conviction). Because the County of Fresno lies in the Eastern District of California, the Court orders that pursuant to 28 U.S.C. § 1404(a) and Habeas Local Rule 2254-3(b), and in the interest of justice, this petition be transferred to the United States

1 District Court for the Eastern District of California. The Clerk shall transfer this matter  
2 forthwith.

3 SO ORDERED.

4  
5 DATED: 07/23/08

  
\_\_\_\_\_  
THELTON E. HENDERSON  
United States District Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

STEVEB DALE BELL,  
Plaintiff,

Case Number: CV08-03269 TEH

**CERTIFICATE OF SERVICE**

v.

J.D. HARTLEY et al,  
Defendant.


\_\_\_\_\_/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 23, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Steven Dale Bell #:J-69411  
Avenal State Prison  
P.O. Box 9  
Avenal, CA 93204-0009

Dated: July 23, 2008

  
Richard W. Wieking, Clerk  
By: R.B. Espinosa, Deputy Clerk